



Swiss parliament votes down a proposal to permanently ban the new admission of doctors

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In December 2015, the Swiss parliament refused to permanently ban the new admission of doctors. Instead, the parliament asked the national government to propose a new temporary solution. The restriction on the admission of doctors will probably be extended until 2019.

Description

In 2001, Switzerland temporarily regulated the admission of doctors. The law aimed to restrict the expected inward flow of doctors from the EU, as a potential consequence of the free movement of people resulting from the bilateral treaties between the EU and Switzerland. The national government has renewed the regulation several times since, and the current rule will expire on June 30, 2016.

Originally, the Swiss national government temporarily banned the new admission of doctors to fend off an excessively high influx of practitioners who might be attracted by entrepreneurial freedom and well-paid positions. Indeed, in 2011, one-quarter of all doctors working in Switzerland (30,849) had a foreign degree, and most of them came from the EU. More precisely, most doctors migrated from neighbouring countries of Switzerland – Austria, France, Germany, and Italy (for instance, most foreign doctors hold a medical degree from Germany [FMH, 2008]).

Nevertheless, since the 1990s, Switzerland has faced a considerable shortage of qualified personnel in the healthcare sector, amongst them: doctors. Highly specialised hospitals such as the Insel-Spital in Bern have trouble recruiting qualified candidates, especially for specialist positions. What is more, in 1998, the Swiss government had placed quotas on application numbers to medical schools. The Swiss Health

Observatory (Obsan) published warnings that Switzerland might only have the capacity to handle two-thirds of the necessary consultations by 2030. Therefore, the Swiss healthcare system needs the immigration of professionals from other countries (Swissinfo).

The current law bans all doctors who are not registered with the obligatory health insurance, or have not worked for at least three years at a Swiss institution of advanced training from admission to free practice in Switzerland. Deviations from this rule are possible because the subnational governments (cantons) can decide not to implement the ban in view of their competencies to pass laws or implement federal legislation in many policy areas. Furthermore, cantons can decide to admit a doctor within the canton only or doctors can take over the practice of another doctor and the admission to practice along with it (FMH, 2013).

In December 2015, the federal parliament voted down a proposal that would have made the current legislation permanent and would have allowed the cantons to continue to ban the admission of new specialists. This proposal had already entailed a compromise as it focused on the admission of specialists only, while the national government's initial vision was to extend the permanent ban to all doctors. The votes of the Liberal Party (FDP) and the right-wing Swiss Nationalist Party (SVP) carried the decision against the proposal.

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The SVP and the FDP voted against the proposal to regulate the admission of doctors, as they want more competition and market-style arrangements. According to these two parties, such reforms would help to contain costs for healthcare – a key policy challenge in Switzerland (Forster 2015a, 2015b). In addition, the National Medical Association (FMH) and the Swiss Association of Health Insurers supported a temporary restriction on new admissions. Both groups prefer flexible ceilings to doctoral admission instead of a rigid ban to ensure the supply of qualified personnel (FMH 2014, NZZ 2016).

Since January 2016, the national parliament has again been dealing with the issue. It aims to find a new temporary solution by creating a package deal that links the admission of doctors to other dossiers in healthcare policy, such as a general increase of cantonal autonomy in this policy area, a new classification of prices for healthcare services according to regions and quality, and a loosening of the contractual obligations of doctors and health insurance bodies. The combination of these issues led some members of the Liberal Party to support a temporary renewal of the ban on the admission of doctors in parliament because it could – at the same time – obtain concessions in some of the other dossiers (NZZ, 2016).

Outlook & Commentary

The ban on new admission of doctors was compatible with the bilateral treaties between Switzerland and the EU since it extended to all doctors formally. Nevertheless, it affected mostly foreign doctors as they are more likely to not have worked at least three years in a Swiss institution of advanced training, which is a requirement to be exempt from the ban. The regulation of the admission of foreign doctors reflects the dilemma of Swiss relations with the EU. On the one hand, there is a demand for immigration of qualified personnel from abroad, which requires Switzerland to have a flexible policy to remain attractive for immigrants to encourage trained personnel to immigrate when there is demand (e.g. by offering family reunification in Switzerland). On the other hand, in recent years the paradigm of the bilateral relations between the EU and Switzerland has been called into question politically, notably by the popular vote on mass immigration (February 14, 2014). It is possible that an end to the freedom of movement between the EU and Switzerland will render the country less attractive to foreign specialists and complicate the immigration of qualified doctors even more.

Further reading

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